

within the disposal area who qualifies under the Color-of-Title Acts.

2. Non-Competitive (Direct) Sale. Public lands within the disposal block will be sold without competition at Fair Market Value to those individuals who occupied the parcels before June 11, 1979 (the date land use plans were approved), but who do not qualify for title under the Color-of-Title Act.

The terms and conditions applicable to the disposal are:

1. The patents will contain a reservation to the United States for ditches and canals.

2. All disposals will be for surface estate only. The patents will contain a reservation to the United States for all minerals.

3. Tracts which lie within the 100 year floodplain of the Rio Quemado will be subject to EO 11988 which precludes the seeking of compensation from the United States or its agencies in the event existing or future facilities on those tracts are damaged by flood.

4. All disposals will be made subject to prior existing rights.

Additional information pertaining to this disposal including the environmental documents are available for review at the Taos Resource Area Office, 226 Cruz Alta Road, Taos, New Mexico 87571, or telephone (505) 758-8851. For a period of 45 days from the date of this notice, interested parties may submit written comments to the Taos Resource Area Manager. Any adverse comments will be evaluated by the New Mexico State Director, Bureau of Land Management, who may vacate or modify this realty action and issue a final determination.

In the absence of any action by the State Director, this realty action will become the final determination of the Department of the Interior.

Michael R. Ford,
District Manager.

Dated: Oct. 10, 1995.

[FR Doc. 95-25879 Filed 10-18-95; 8:45 am]

BILLING CODE 4310-FB-P

[OR 52096; OR-080-06-1430-01: G6-001]

Notice of Realty Action; Proposed Direct Sale

October 2, 1995.

The following described public land has been examined and determined to be suitable for transfer out of Federal ownership by direct sale under the authority of Sections 203 and 209 of the Federal Land Policy and Management Act of 1976, as amended (90 Stat. 2750; 43 U.S.C. 1713 and 90 Stat. 2757; 43

U.S.C. 1719), at not less than the appraised fair market value:

Willamette Meridian, Oregon,

T. 10 S., R. 1 E.,

Sec. 21, a parcel of land, which, when surveyed, will likely be described as Lot 1.

The above-described parcel contains 0.19 acre in Linn County.

The parcel will not be offered for sale until at least 60 days after publication of this notice in the Federal Register. The fair market value of the parcel has not yet been determined. Anyone interested in knowing the value may request this information from the address shown below.

The above-described land is hereby segregated from appropriation under the public land laws, including the mining laws, but not from sale under the above-cited statute, for 270 days or until title transfer is completed or the segregation is terminated by publication in the Federal Register, whichever occurs first.

The parcel is difficult and uneconomic to manage as part of the public lands and is not suitable for management by another Federal department or agency. No significant resource values will be affected by this transfer. The sale is consistent with the Salem District Resource Management Plan and the public interest will be served by offering this parcel for sale.

The parcel is being offered only to Clement J. Lulay and Jeanette Lulay, fee owners of the adjoining property to the north. Use of the direct sale procedures authorized under 43 CFR 2711.3-3, will avoid an inappropriate land ownership pattern.

The terms, conditions, and reservations applicable to the sale are as follows:

1. Clement J. Lulay and Jeanette Lulay will be required to submit a deposit of either cash, bank draft, money order, or any combination thereof for not less than the appraised value.

2. The mineral interests being offered for conveyance have no known mineral value. A bid will also constitute an application for conveyance of the mineral estate, in accordance with Section 209 of the Federal Land Policy and Management Act. The designated bidders must include with their bid a nonrefundable \$50.00 filing fee for the conveyance of the mineral estate.

3. The bargain and sale deed will be subject to:

a. Rights-of-way for ditches or canals will be reserved to the United States under 43 U.S.C. 945; and

b. All valid existing rights and reservations of record.

Detailed information concerning the sale is available for review at the Salem District Office, address above.

By no later than December 4, 1995, interested parties may submit comments to the Cascades Area Manager, Salem District Office, address above. Any adverse comments will be reviewed by the Salem District Manager, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, this realty action will become the final determination of the Department of the Interior.

Richard C. Prather,

Cascades Area Manager.

[FR Doc. 95-25209 Filed 10-18-95; 8:45 am]

BILLING CODE 4310-33-M

[OR 52171; OR-080-06-1430-01: G6-002]

Notice of Realty Action; Proposed Recreation and Public Purposes Act Classification

The following described public land has been examined and determined to be suitable for classification for lease or conveyance out of Federal ownership to the Pacific City Water District under the authority of the Recreation and Public Purposes Act, as amended (44 U.S.C. 869 *et seq.*):

Willamette Meridian, Oregon,

T. 4 S., R. 10 W.,

Sec. 19, Lot 18.

The above-described parcel contains 3.00 acres in Tillamook County.

The Pacific City Water District proposes to use the parcel for a maintenance facility associated with its existing municipal water system. The parcel is not required for any Federal purpose or program. Lease or conveyance of the parcel is consistent with current BLM land use planning and will be in the public interest.

The lease/patent, when issued, will be subject to the following terms, conditions, and/or reservations:

1. A reservation to the United States for rights-of-way for ditches or canals under the Act of August 20, 1890 (26 Stat. 391; 43 U.S.C. 945);

2. A reservation to the United States of all mineral deposits, together with the right to prospect for, mine, and remove such deposits under applicable law and such regulations as the Secretary of the Interior may prescribe;

3. A right-of-way reservation for road access to the adjoining public land.

4. The reversionary requirements of 43 CFR 2741.9.

Detailed information concerning this action is available for review at the Salem District Office, 1717 Fabry Road

SE, Salem, Oregon 97306, or at the Tillamook Resource Area Office, P. O. Box 404, Tillamook, Oregon 97141.

Upon publication of this notice in the Federal Register, the land will be segregated from all other forms of appropriation under the public land laws, including the mining laws, except the mineral leasing laws and for lease or conveyance under the Recreation and Public Purposes Act.

By no later than December 4, 1995, interested parties may submit comments to the Tillamook Area Manager, Salem District Office, at the above address.

Classification Comments: Interested parties may submit comments involving the suitability of the land for maintenance facilities associated with a municipal water system. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with state and Federal programs.

Application Comments: Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for a maintenance facility.

Any adverse comments will be reviewed by the Salem District Manager, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, this realty action will become the final determination of the Department of the Interior.

FOR FURTHER INFORMATION CONTACT: John M. Radosta, Realty Specialist, Salem District Office, 1717 Fabry Road SE, Salem, Oregon 97306. (503) 375-5664.

Dated: October 5, 1995.

Dana R. Shuford,

Tillamook Area Manager.

[FR Doc. 95-25881 Filed 10-18-95; 8:45 am]

BILLING CODE 4310-33-M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-6 (Sub-No. 375X)]

Burlington Northern Railroad Company—Abandonment Exemption—in Snohomish County, WA

Burlington Northern Railroad Company (BN) has filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon its 1.27-mile line of railroad

between BN milepost 6.92 and BN milepost 8.19, and the 1.42-mile Cascade Pole Spur in and near Arlington, a total of 2.69 miles, in Snohomish County, WA.¹

BN has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to use of this exemption, any employee affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on November 18, 1995, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29⁴ must be filed by October 30, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 8, 1995, with: Office of the Secretary, Case Control

¹ BN originally filed this notice of exemption under Docket No. AB-6 (Sub-No. 364X). However, by decision served May 31, 1995, the Director of the Office of Proceedings permitted BN to withdraw the notice of exemption without prejudice.

² A stay will be issued routinely by the Commission in those proceedings where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental concerns is encouraged to file its request as soon as possible in order to permit the Commission to review and act on the request prior to the effective date of this exemption.

³ See *Exempt. of Rail Abandonment Offers of Finan. Assist.*, 4 I.C.C.2d 164 (1987).

⁴ The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: Sarah J. Whitley, 3800 Continental Plaza, 777 Main Street, Fort Worth, TX 76102-5384.

If the notice of exemption contains false or misleading information, the exemption is void ab initio.

BN filed an environmental report which addresses the effects of the abandonment, if any, on the environment and historic resources. The Commission's Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by October 24, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: October 13, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95-25938 Filed 10-18-95; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-167 (Sub-No. 1152X)]

Consolidated Rail Corporation—Abandonment Exemption—in Cook County, IL

Consolidated Rail Corporation (Conrail) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments* to abandon its line of railroad, known as the Bernice Running Track, between milepost 294.30± and milepost 294.90± in Cook County, IL, a total distance of approximately 0.6 miles±.

Conrail has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49